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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/990,046	11/20/2001	Frederic J. de Sauvage	P1405R1C1	1433
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GENENTECH, INC. 1 DNA WAY SOUTH SAN FRANCISCO, CA 94080			EXAMINER HOWARD, ZACHARY C	
			ART UNIT	PAPER NUMBER
			1646	
			MAIL DATE	DELIVERY MODE
			03/17/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Notice of Non-Compliant
Amendment (37 CFR 1.121)**

Application No.

09/990,046

Examiner

ZACHARY C. HOWARD

Applicant(s)

DE SAUVAGE ET AL.

Art Unit

1646

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 25 January 2008 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____.
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____.
- ☐ 3. Amendments to the drawings:
- ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - ☐ C. Other _____.
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims).
 - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☒ E. Other: See Continuation Sheet.
- ☐ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

Failure to timely respond to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

/Elizabeth C Kemmerer/

Pr. Exmr., A.U. 1646

Legal Instruments Examiner (LIE), if applicable

Telephone No.

Notice of Non-Compliant Amendment (37 CFR 1.121)

Continuation of 4(e) Other: The claims have been changed, but do not include the appropriate markings indicating the deleted and added portions relative to the immediate prior versions of the claims.

Page 2 of the 1/25/08 response is titled "Amendments to the Claims (No amendments)" and each of the listed claims is identified as either "Previously presented" or "Cancelled". However, the claims in this listing are not identical to the claims in the immediate prior listing submitted on 8/22/07 (and considered by the Examiner in the 10/30/07 Office Action). For example, in the 8/22/07 claims, claim 1 was amended in three places: to change "thereof" to "of said polypeptide"; to delete the word "about"; and to change "hedgehog" (non-italicized) to "a hedgehog" (with hedgehog in italics). In the 1/25/08 listing of claims, none of these changes are included. Furthermore, none of the 8/22/07 changes to claims 30, 39, 40 and 49 are included in the 1/25/08 claim listing. Furthermore, there are no markings in the 1/25/08 claims that indicate that text was deleted and added with respect to the 8/22/07 claims. Furthermore, each claim that has been changed has not been identified as "Amended".

As the 1/25/2008 non-compliant amendment is an after final amendment, please note item (1) in the section "Time Periods For Filing A Reply To This Notice", which states that no new time period is given to Applicants. If Applicants wish to re-submit the non-compliant after final amendment with corrections, the entire corrected amendment must be resubmitted.